

(26 October 2018 – to date)

LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT 56 OF 2003

(Gazette No. 26019, Notice No. 176 dated 13 February 2004. Commencement date: 1 July 2004 - unless otherwise indicated) [Notice No. 772, Gazette No. 26510]

MUNICIPAL REGULATIONS ON MINIMUM COMPETENCY LEVELS

Government Notice R493 in Government Gazette 29967 dated 15 June 2007. Commencement date:
1 July 2007

As amended by:

Government Notice 1146 in Government Gazette 41996 dated 26 October 2018. Commencement date:
26 October 2018.

The Minister of Finance, acting with the concurrence of the Minister for Provincial and Local Government, has in terms of section 168 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), made the regulations as set out in the Schedule.

SCHEDULE

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CHAPTER 1

INTERPRETATION OF THESE REGULATIONS

1. Definitions

- (1) In these Regulations, a word or expression to which a meaning has been assigned in the Act has the same meaning as in the Act, and unless the context otherwise indicates—

"effective date", in relation to these Regulations, means the date on which these Regulations come into effect;

"financial official", in relation to a municipality or a municipal entity, means an official of a municipality or municipal entity exercising financial management responsibilities, and includes—

- (a) the accounting officer;
- (b) the chief financial officer;
- (c) a senior manager; or
- (d) any other financial official;

"middle management level" means a management level associated with persons in middle management positions responsible for supervising staff, and includes—

- (a) an official directly accountable to a manager in the senior management level; or
- (b) a person that occupied a position in a management level substantially similar to middle management level, outside the local government sphere;

"NQF" refers to the National Qualifications Framework prescribed by regulations issued in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995);

"Performance Regulations"

(Definition of "Performance Regulations" deleted by regulation 1 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

"senior management level" means a management level associated with persons in senior management positions responsible for supervising staff in middle management positions, and includes—

- (a) the municipal manager of a municipality or the chief executive officer of a municipal entity;
- (b) any manager directly accountable to—
 - (i) the municipal manager, in the case of a municipality; or
 - (ii) the chief executive officer, in the case of a municipal entity; or
- (c) a person that occupied a position in a management level substantially similar to senior management level, outside the local government sphere;

"senior manager"

- (a) in relation to a municipality, means a manager referred to in section 56 of the Municipal Systems Act; or
- (b) in relation to a municipal entity, means a manager directly accountable to the chief executive officer of the entity;

"supply chain management manager", in relation to a municipality or municipal entity, means an official of the municipality or entity involved in the implementation of the supply chain management policy of the municipality or entity and who is directly accountable to the head of the supply chain management unit of the municipality or entity;

"supply chain management official", in relation to a municipality or a municipal entity, means an official involved in the implementation of the supply chain management policy of a municipality or municipal entity, and includes—

- (a) the head of the supply chain management unit; or
- (b) a supply chain management manager;

"the Act" means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

"unit standard" means unit standard as defined in the regulations issued in terms of the South African Qualifications Authority Act, 1995 (Act 58 of 1995);

"value", in relation to the annual budget of a municipality or municipal entity, means the value of the annual budget as determined in terms of subregulation (4);

"work-related experience" means the expertise of a person or skills attained by a person whether in the course of formal or informal employment.

(2) These Regulations must be read with—

- (a) section 83(1) of the Act which states that the accounting officer, senior managers, the chief financial officer and other financial officials of a municipality must meet the financial management competency levels prescribed by regulation;
- (b) section 107 of the Act which states that the accounting officer, senior managers, any chief financial officer and all other financial officials of a municipal entity must meet the financial management competency levels prescribed by regulation; and

- (c) section 119(1) of the Act which states that the accounting officer and all other officials of a municipality or municipal entity involved in the implementation of the supply chain management policy of the municipality or municipal entity must meet the competency levels for supply chain management prescribed by regulation.
- (3) These regulations should also be read with any guidelines on competency levels that may be prescribed for financial officials or supply chain management officials of municipalities and municipal entities in terms of section 168 of the Act.
- (4) When determining for purposes of these Regulations the value of the annual budget of a municipality or municipal entity, the value must be taken as equal to total operating and capital expenditure authorised in the budget, and—
 - (a) in the case of the annual budget of a parent municipality, include the value of the annual budgets of its entities; or
 - (b) in the case of municipalities having shared control of a municipal entity, be taken as equal to the aggregated value of—
 - (i) the annual budget of any one of those municipalities, as may be agreed between those municipalities; and
 - (ii) the annual budget of the entity.

CHAPTER 2

ACCOUNTING OFFICERS OF MUNICIPALITIES AND MUNICIPAL ENTITIES

2. General competency levels for accounting officers

- (1) The accounting officer of a municipality must generally have the skills, experience and capacity to assume and fulfil *[sic]* the responsibilities and exercise the functions and powers assigned in terms of the Act to the accounting officer of a municipality.
- (2) The accounting officer of a municipal entity must generally have the skills, experience and capacity to assume and fulfil *[sic]* the responsibilities and exercise the functions and powers assigned in terms of the Act to the accounting officer of a municipal entity.
- (3) An accounting officer must note that specific financial management responsibilities, functions and powers are entrusted by the Act to accounting officers and that any failure to comply with these may constitute financial misconduct.

3. Minimum competency levels for accounting officers

Prepared by:

The accounting officer of a municipality or municipal entity must comply with the minimum competency levels required for higher education qualification, work related experience, core managerial and occupational competencies and be competent in the unit standards prescribed for financial and supply chain management competency areas as set out below.

MINIMUM COMPETENCY LEVELS FOR ACCOUNTING OFFICERS

Description	All municipalities and municipal entities
Higher Education Qualification	At least a Bachelor degree or a relevant qualification registered on the National Qualifications Framework at a NQF level 7 with a minimum of 360 credits
Work-Related Experience	Minimum of 5 years at senior management level
Core and Leading Competencies	As prescribed in the Annexure A- Local Government: Competency Framework for Senior Managers as published under Government Notice No. 21 in Government Gazette No. 37245 of 17 January 2014
Financial and Supply Chain Management Competency Areas:	Required Minimum Competency Level in Unit Standards
Strategic leadership and management	116358
Strategic financial management	116361; 116342; 116362
Operational financial management	116345; 119352; 119341; 119331; 116364;
Governance, ethics and values in financial management	116343
Financial and performance reporting	116363; 119350; 119348; 116341
Risk and change management	116339
Legislation, policy and implementation	119334
Stakeholder relations	116348
Supply Chain Management	116353

(Table amended by regulation 2 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

CHAPTER 3

CHIEF FINANCIAL OFFICERS OF MUNICIPALITIES AND MUNICIPAL ENTITIES

4. General competency levels for chief financial officers

- (1) The chief financial officer of a municipality must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to the chief financial officer of a municipality.
- (2) If a municipal entity has appointed an official as its chief financial officer that official must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to that official as chief financial officer of the entity.
- (3) A chief financial officer must note that any failure to comply with any financial management responsibilities, functions and powers entrusted to that officer may constitute financial misconduct. In the case of chief financial officers of municipalities specific financial management responsibilities, functions and powers are entrusted by the Act to chief financial officers.

5. Minimum competency levels for chief financial officers

The chief financial officer of a municipality or municipal entity must comply with the minimum competency levels required for higher education qualification, work related experience, core managerial and occupational competencies and be competent in the unit standards prescribed for financial and supply chain management competency areas as set out below.

MINIMUM COMPETENCY LEVELS FOR CHIEF FINANCIAL OFFICERS

Description	(a) All municipalities with annual budgets of a value below R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year; and	(a) All municipalities with annual budgets of a value equal to or above R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year; and

	(b) All municipal entities of a parent municipality with annual budgets of a value below R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year	(b) All municipal entities of a parent municipality with an annual budget of a value equal to or above R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa 1 July of each year
Higher Education Qualification	At least a Bachelor degree in Accounting, Finance or Economics or a relevant qualification registered on the National Qualifications Framework at a NQF level 7 with a minimum of 360 credits	At least a Post Graduate Degree or qualification in the fields of Accounting, Finance, or Economics registered on the National Qualifications Framework at NQF Level 8 with a minimum of 120 credits or Chartered Accountant (SA)
Work-Related Experience	Minimum of 5 years at middle management level	Minimum of 7 years at senior and middle management levels, of which at least 2 years must be at senior management level
Core and Leading Competencies	As prescribed in the Annexure A (Local Government: Competency Framework for Senior Managers) to the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers as published in Government Notice No. 21 of 17 January 2014	As prescribed in the Annexure A (Local Government: Competency Framework for Senior Managers) to the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers as published in Government Notice No. 21 Government Gazette No. 37245 of 17 January 2014
Financial and Supply Chain Management Competency Areas:	Required Minimum Competency Level in Unit Standards	Required Minimum Competency Level in Unit Standards
Strategic leadership and management	116358; 116361	116358; 116361
Strategic financial management	116361; 116342; 116362	116361; 116342; 116362

Operational financial management	116345; 119352; 119341; 119331; 116364	116345; 119352; 119341; 119331; 116364
Governance, ethics and values in financial management	116343	116343
Financial and performance reporting	116363; 119350; 119348; 116341	116363; 119350; 119348; 116341
Risk and change management	116339	116339
Project management	119343	119343
Legislation, policy and implementation	119334	119334
Stakeholder relations	116348	116348
Supply Chain Management	116353	116353
Audit and assurance	116351	116351

(Table amended by regulation 3 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

CHAPTER 4

SENIOR MANAGERS OF MUNICIPALITIES AND MUNICIPAL ENTITIES

6. General competency levels for senior managers

- (1) A senior manager of a municipality must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to that senior manager.
- (2) A senior manager of a municipal entity must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to that senior manager.
- (3) A senior manager must note that any failure to comply with any financial management responsibilities, functions and powers entrusted to that senior manager may constitute financial misconduct.

7. Minimum competency levels for senior managers

A senior manager of a municipality or municipal entity must comply with the minimum competency levels required for higher education qualification, work related experience, core managerial and occupational competencies and be competent in the unit standards prescribed for financial and supply chain management competency areas as set out below.

MINIMUM COMPETENCY LEVELS FOR SENIOR MANAGERS

Description	(a) All municipalities with annual budgets of a value below R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year; and (b) All municipal entities of a parent municipality with annual budgets of a value below R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year	(a) All municipalities with annual budgets of a value equal to or above R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year; and (b) All municipal entities of a parent municipality with an annual budget of a value equal to or above R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year
Higher Education Qualification	At least a Bachelor degree or a relevant qualification registered on the National Qualifications Framework at NQF level 7 with a minimum of 360 credits	At least a Post Graduate Degree or relevant qualification registered on the National Qualifications Framework at NQF Level 8 with a minimum of 120 credits in a field relevant for the senior management position
Work-Related Experience	Minimum of 5 years at middle management level	Minimum of 7 years at senior and middle management level, of which at least 2 years must be at senior management level
Core and Leading Competencies	As prescribed in the Annexure A (Local Government: Competency Framework for Senior Managers)	As prescribed in the Annexure A (Local Government: Competency Framework for Senior Managers)

	to the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers as published in Government Notice No. 21 of 17 January 2014	to the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers as published in Government Notice No. 21 of 17 January 2014
Financial and Supply Chain Management Competency Areas	Required Minimum Competency Level in Unit Standards	Required Minimum Competency Level in Unit Standards
Strategic leadership and management	116358; 116361	116358; 116361
Operational financial management	119341; 119331; 116364	119341; 119331; 116364
Governance, ethics and values in financial management	116343	116343
Financial and performance reporting	116363; 119350; 119348; 116341	116363; 119350; 119348; 116341
Risk and change management	116339	116339
Project management	119343	119343
Legislation, policy and implementation	119334; 116361	119334; 116361
Supply Chain Management	116353	116353
Audit and assurance	116351	116351

(Table amended by regulation 4 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

CHAPTER 5

OTHER FINANCIAL OFFICIALS OF MUNICIPALITIES AND MUNICIPAL ENTITIES

8. General competency levels for other financial officials

Prepared by:

- (1) Any financial official of a municipality at or below middle management level must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to that official.
- (2) Any financial official of a municipal entity at or below middle management level must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to that official.
- (3) A financial official referred to in subregulation (1) or (2) must note that any failure to comply with the financial management responsibilities, functions and powers entrusted in terms of the Act to that official may constitute financial misconduct.

9. Minimum competency levels for financial officials at middle management level

A financial official of a municipality or municipal entity at middle management level must comply with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas as set out below.

MINIMUM COMPETENCY LEVELS FOR FINANCIAL OFFICIALS AT MIDDLE MANAGEMENT LEVEL

Description	<p>(a) All municipalities with annual budgets of a value below R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year; and</p> <p>(b) All municipal entities of a parent municipality with annual budgets of a value below R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year</p>	<p>(a) All municipalities with annual budgets of a value equal to or above R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year; and</p> <p>(b) All municipal entities of a parent municipality with an annual budget of a value equal to or above R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year</p>
Higher Education Qualification	Relevant qualification in the fields of Accounting, Finance or Economics registered on the National Qualifications	Relevant qualification in the fields of Accounting, Finance or Economics registered on the National Qualifications

	Framework at a Level 6 with a minimum of 240 credits	Framework at a Level 6 with a minimum of 240 credits
Work-Related Experience	<p>Minimum of—</p> <p>(a) 4 years of which at least 1 year must be at middle management level and at least 3 years at any level in a role related to the position of the official; or</p> <p>(b) 6 years at any level in a role related to the position of the official</p>	<p>Minimum of—</p> <p>(a) 5 years of which at least 2 years must be at middle management level and at least 3 years at any level in a role related to the position of the official; or</p> <p>(b) 7 years at any level in a role related to the position of the official</p>
Competency Areas	Required Minimum Competency Level in Unit Standards	Required Minimum Competency Level in Unit Standards
Operational financial management	116345; 119352; 119341; 119331; 116364	116345; 119352; 119341; 119331; 116364
Governance, ethics and values in financial management	116343	116343
Financial and performance reporting	116363; 119350; 119348; 116341	116363; 119350; 119348; 116341
Risk and change management	116339	116339
Project management	119343	119343
Legislation, policy and implementation	119334	119334
Supply Chain Management	116353	116353
Audit and assurance	116351	116351

(Table amended by regulation 5 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

CHAPTER 6

SUPPLY CHAIN MANAGEMENT OFFICIALS OF MUNICIPALITIES AND MUNICIPAL ENTITIES

10. General competency levels for officials involved in implementation of supply chain management policy

- (1) The accounting officer and any official of a municipality involved in the implementation of the supply chain management policy of the municipality must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers in respect of supply chain management—
 - (a) in the case of an accounting officer, assigned in terms of the Act or delegated by the municipal council to the accounting officer; or
 - (b) in the case of another official, delegated to the official by the accounting officer in terms of section 79 of the Act.
- (2) The accounting officer and any other official of a municipal entity involved in the implementation of the supply chain management policy of the municipal entity must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers in respect of supply chain management-
 - (a) in the case of an accounting officer, assigned in terms of the Act or delegated by the board of directors to the accounting officer; or
 - (b) in the case of another official, delegated to the official by the accounting officer in terms of section 106 of the Act.
- (3) An accounting officer and officials involved in supply chain management must note that failure to comply with supply chain management responsibilities, functions and powers may constitute financial misconduct in terms of the Act.

11. Minimum competency levels for heads of supply chain management units

The head of a supply chain management unit of a municipality or municipal entity must comply with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas as set out below.

MINIMUM COMPETENCY LEVELS FOR HEADS OF SUPPLY CHAIN MANAGEMENT UNITS

Description	<p>a) All municipalities with annual budgets of a value below R500 million; and</p> <p>b) All municipal entities of a parent municipality with an annual budget of a value below R500 million</p>	<p>a) All municipalities with annual budgets of a value equal to or above R500 million; and</p> <p>b) All municipal entities of a parent municipality with an annual budget of a value equal to or above R500 million</p>
Higher Education Qualification	Relevant qualification in the fields of Accounting, Finance or Economics registered on the National Qualifications Framework at a Level 6 with a minimum of 240 credits	Relevant qualification in the fields of Accounting, Finance or Economics registered on the National Qualifications Framework at a Level 7 with a minimum of 360 credits
Work-Related Experience	<p>Minimum of—</p> <p>(a) 4 years of which at least 1 year must be at middle management level and at least 3 years at any level in a role related to the position of the official; or</p> <p>(b) 6 years at any level in a role related to the position of the official</p>	<p>Minimum of—</p> <p>(a) 5 years of which at least 2 years must be at middle management level and at least 3 years at any level in a role related to the position of the official; or</p> <p>(b) 7 years at any level in a role related to the position of the official</p>
Competency Areas	Required Minimum Competency Level in Unit Standards	Required Minimum Competency Level in Unit Standards
Strategic financial management	116361; 119350; 116348; 116342; 116362; 116341;	116361; 119350; 116348; 116342; 116362; 116341;
Operational financial management	116345; 119352; 119341; 119331; 116364	116345; 119352; 119341; 119331; 116364
Governance, ethics and values in financial management	116343	116343

Risk and change management	116339	116339
Project management	119343	119343
Legislation, policy and implementation	119334	119334
Stakeholder relations	116348	116348
Supply Chain Management	116353	116353

(Table amended by regulation 6 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

12. Minimum competency levels for supply chain management managers

A supply chain management manager of a municipality or municipal entity must comply with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas as set out below.

MINIMUM COMPETENCY LEVELS FOR SUPPLY CHAIN MANAGEMENT MANAGERS

Description	<p>(a) All municipalities with annual budgets of a value below R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year; and</p> <p>(b) All municipal entities of a parent municipality with annual budgets of a value below R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year</p>	<p>(a) All municipalities with annual budgets of a value equal to or above R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa 1 July of each year by[sic]; and</p> <p>(b) All municipal entities of a parent municipality with an annual budget of a value equal to or above R1 billion, to be adjusted by the consumer price index as determined by Statistics South Africa by 1 July of each year</p>
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Higher Education Qualification	Relevant qualification in the fields of Supply Chain Management, Accounting, Finance or Economics registered on the National Qualifications Framework at a Level 6 with a minimum of 240 credits	Relevant qualification in the fields of Supply Chain Management, Accounting, Finance or Economics registered on the National Qualifications Framework at a Level 6 with a minimum of 240 credits
Work-Related Experience	2 years	2 years
Competency Areas	Required Minimum Competency Level in Unit Standards	Required Minimum Competency Level in Unit Standards
Operational financial management	116345; 119352; 119341; 119331; 116364	116345; 119352; 119341; 119331; 116364
Governance, ethics and values in financial management	116343	116343
Risk and change management	116339	116339
Project management	119343	119343
Legislation, policy and implementation	119334	119334
Supply Chain Management	116353	116353

(Table amended by regulation 7 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

CHAPTER 7

GENERAL AND TRANSITIONAL PROVISIONS

13. Competency assessments

The municipal manager of a municipality or chief executive officer of a municipality entity must ensure that competency assessments of all financial officials and supply chain management officials are undertaken in terms of regulation 16 of the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers in order to identify and address gaps in competency levels of those officials, as part of the recruitment process.

(Regulation 13 substituted by regulation 8 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

14. Reporting on and monitoring competency levels

- (1) The municipal manager of a municipality and the chief executive officer of a municipal entity must monitor and take any necessary steps to ensure compliance with the prescribed minimum competency levels for financial and supply chain management officials.

(Regulation 14(1) substituted by regulation 9(a) of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

- (2) A municipality must report the consolidated information in respect of the municipality and each of its entities set out in subregulation (4)—

- (a) to the National Treasury and to the relevant provincial treasury by 30 January and 30 July of each year; and

(Regulation 14(2)(a) substituted by regulation 9(b) of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

- (b) in its annual report, reflecting the information as at the end of the financial year to which the report relates.

- (3) A municipal entity must report to its parent municipality by 20 January and 20 July of each year, and in its annual report, the information set out in subregulation (4). The annual report of the municipal entity must reflect the information as at the end of the financial year to which the report relates.

- (4) A report on the compliance with prescribed competency levels must be in the format set out in the Annexure hereto and include the following minimum information as at 30 June and 31 December of each year, as may be appropriate—

- (a) the total number of financial officials employed;
- (b) the total number of financial officials whose competency assessments have been completed;
- (c) the total number of supply chain management officials employed;
- (d) the total number of supply chain management officials whose competency assessments have been completed;
- (e) the total number of financial officials and supply chain management officials that meet the prescribed competency levels; and

- (f) the total number of financial officials and supply chain management officials whose performance agreements comply with regulation 16.

15. Period within which to attain minimum competency levels in unit standards for competency areas

- (1) A financial or supply chain management official who does not meet the minimum competency level in the unit standards for a competency area, required for the position in terms of these Regulations, must attain that minimum competency level on or before 2 August 2018.
- (2) A person appointed as a financial or supply chain management official on or after the date of commencement of this regulation who does not meet the minimum competency level in the unit standards for a competency area, required for the position in terms of these Regulations, must attain that minimum competency level within 18 months from the date of appointment.

(Regulation 15 substituted by regulation 10 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

16. Attainment of competency levels within prescribed timeframes to be included in performance agreement

- (1)
 - (a) If a financial official or supply chain management official must conclude a performance agreement and does not meet the minimum competency level in the unit standards in a competency area required for the position in terms of the Regulations, attainment of that minimum competency level within the time frames set out in regulation 15 must be included as a performance target in that official's performance agreement.
 - (b) If a person is appointed a financial official or supply chain management official and does not meet the minimum competency level in the unit standards in a competency area required for the position in terms of the Regulations, the attainment of that minimum competency level within the timeframes set out in regulation 15, must be included in the person's—
 - (i) employment contract which must also state that, if it is not attained within the applicable period, the employment contract will terminate automatically within one month after the applicable period; and
 - (ii) performance agreement as a performance target, if such agreement is required.
- (2) A municipality or municipal entity must deal with the failure by an official to attain the required minimum competency levels in the unit standards for each competency area within the timeframes set out in regulation 15, in accordance with the applicable labour legislation and policies and procedures of the municipality or municipal entity.

(Regulation 16 substituted by regulation 11 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

17. Assistance by municipalities and municipal entities to financial and supply chain management officials to attain minimum competency levels

A municipality or municipal entity must assist a financial official or supply chain management official who at the effective date does not meet the minimum competency levels, to attain those competency levels within the timeframes set out in regulation 15 by providing resources or opportunities for the training of that official.

18.

(Regulation 18 repealed by regulation 12 of Government Notice 1146 in Government Gazette 41996 dated 26 October 2018)

19. Title and commencement

These Regulations are called the Municipal Regulations on Minimum Competency Levels, 2007, and becomes *[sic]* effective on 1 July 2007 for a municipality or municipal entity.

ANNEXURE

MFMA Implementation Report: Municipal Regulations on Minimum Competency Levels

Name and address of the municipality or municipal entity:						
Contact person:		Phone no:	Email address:			
Description	A. Total number of officials employed by municipality (Regulation 14(4)(a) and (c))	B. Total number of officials employed by municipal entities (Regulation 14(4)(a) and (c))	Consolidated: Total of A and B	Consolidated: Competency assessments completed for A and B (Regulation 14(4)(b) and (d))	Consolidated: Total number of officials whose performance agreements comply with Regulation 16 (Regulation 14(4)(f))	Consolidated: Total number of officials that meet prescribed competency levels (Regulation 14(4)(e))
Financial Officials						
Accounting officer						

Chief financial officer						
Senior managers						
Any other financial officials						
Supply Chain Management Officials						
Head of supply chain management unit						
Supply chain management managers						
Total						

Declaration (to be completed by the Municipal Manager of a municipality or the Chief Executive Officer of a municipal entity)

I _____ (insert full name), holding the position of Municipal Manager/ Chief Executive Officer hereby certify this to be a true and accurate record of the implementation of the Municipal Finance Management Act: Municipal Regulations on Minimum Competency Levels for officials in the municipality and/ or municipal entity

As at ____/____/____ (dd/mm/yyyy).

_____ (Signature) _____ (Date)